

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 326

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-8.1-7-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 22. (a) This section does not apply to medication possessed by a student for self-administration under IC 20-8.1-5.1-7.5.

~~(b)~~ Except as provided in subsection ~~(d)~~; a school corporation may not send home with a student medication that is possessed by a school for administration during school hours or at school functions:

~~(c)~~ **(b)** Medication that is possessed by a school for administration during school hours or at school functions for a student ~~in grades kindergarten through grade 8~~ may be released only to:

- (1) the student's parent; or
- (2) an individual who is:
 - (A) at least eighteen (18) years of age; and
 - (B) designated in writing by the student's parent to receive the medication.

~~(d)~~ **(c)** A school corporation may send home medication that is possessed by a school for administration during school hours or at school functions with a student ~~in grades 9 through 12~~ if the student's parent provides written permission for the student to receive the medication.

SECTION 2. IC 20-10.1-4-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

SEA 326 — Concur+



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[EFFECTIVE JULY 1, 2005]: **Sec. 16. (a) The chief administrative officer of each:**

(1) public school (including a charter school as defined in IC 20-5.5-1-4); and

(2) nonpublic school;

shall ensure that information concerning meningococcal disease and its vaccines is provided to students and parents or guardians of students at the beginning of each school year.

(b) The information provided under subsection (a) must include information concerning the:

(1) causes;

(2) symptoms; and

(3) spread;

of meningococcal disease and the places where parents and guardians of students may obtain additional information and vaccinations for their children.

(c) The chief administrative officers and the department shall, in consultation with the state department of health or any other appropriate entity, develop materials to be made available to schools to assist schools in providing the information described in this section.

(d) The department shall enforce this section.

SECTION 3. IC 20-30-5-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 18. (a) The chief administrative officer of each:**

(1) public school (including a charter school as defined in IC 20-24-1-4); and

(2) nonpublic school;

shall ensure that information concerning meningococcal disease and its vaccines is provided to students and parents or guardians of students at the beginning of each school year.

(b) The information provided under subsection (a) must include information concerning the:

(1) causes;

(2) symptoms; and

(3) spread;

of meningococcal disease and the places where parents and guardians of students may obtain additional information and vaccinations for their children.

(c) The chief administrative officers and the department shall, in consultation with the state department of health or any other appropriate entity, develop materials to be made available to

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schools to assist schools in providing the information described in this section.

(d) The department shall enforce this section.

SECTION 4. IC 20-34-3-18, AS ADDED BY HEA 1288-2005, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18. (a) This section does not apply to medication possessed by a student for self-administration under IC 20-33-8-13.

~~(b) Except as provided in subsection (d), a school corporation may not send home with a student medication that is possessed by a school for administration during school hours or at school functions.~~

~~(c) (b)~~ Medication that is possessed by a school for administration during school hours or at school functions for a student ~~in kindergarten through grade 8~~ may be released ~~only~~ to:

- (1) the student's parent; or
- (2) an individual who is:
 - (A) at least eighteen (18) years of age; and
 - (B) designated in writing by the student's parent to receive the medication.

~~(d) (c)~~ A school corporation may send home medication that is possessed by a school for administration during school hours or at school functions with a student ~~in grades 9 through 12~~ if the student's parent provides written permission for the student to receive the medication.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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